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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/617,234	07/14/2000	Takehiro Yoshida	35.G2619	5377
5514	7590	03/22/2005	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			PARK, CHAN S	
			ART UNIT	PAPER NUMBER
			2622	

DATE MAILED: 03/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/617,234	YOSHIDA, TAKEHIRO	
	Examiner	Art Unit	
	CHAN S PARK	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 July 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment was received on 7/12/04, and has been entered and made of record. Currently, **claims 1-10** are pending.

Specification

2. The substitute title was received on 7/12/04. The title is acceptable.

Response to Arguments

3. Applicant's arguments, see page 8, filed 7/12/04, with respect to the objection to the drawings have been fully considered and are persuasive. The objection of drawings has been withdrawn.

4. Applicant's arguments filed 7/12/04 have been fully considered but they are not persuasive.

In response to applicant's argument regarding the rejection of claim 1, wherein on pages 8-11, the applicant explains how the current invention differs from the teaching of Watanabe et al. U.S. Patent No. 5,170,428 (hereinafter Watanabe). Particularly, the applicant states that Watanabe does not teach or suggest that when a start of ring-type multiple-address transmission has been selected, transmitter information is added, and, when a transfer of ring-type multiple-address reception has been selected, the transmitter information is not added. Examiner respectfully

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disagrees. When the facsimile apparatus of fig. 2 or fig. 6 is used as a transmitting facsimile apparatus (fax 2), a start of a ring-type multiple-address transmission instruction is inputted via the operation unit 7 (col. 3, lines 7-14). When the facsimile apparatus of fig. 2 or fig. 6 is used as a repeater station, CPU 6, in conjunction with detection circuits 12 and 13, selects/determines to perform a transfer of a ring-type multiple-address reception based on the received instruction from the transmitting facsimile apparatus (col. 3, lines 27-45). The applicant seems to claim that the transfer selector and the start selector are incorporated in the operation unit. However, it is noted that this difference is not apparent in the current claim wording. Even if the transfer selector is a part of the operation unit, Watanabe clearly teaches that the transfer of ring-type multiple-address reception can be selected by selecting means (col. 5, lines 3-16).

Moreover, referring to col. 6, lines 21-22, it is apparent that the telephone number of the transmitting facsimile apparatus is added when a start of ring-type multiple-address transmission has been selected. The telephone number is added and transmitted to the repeater station in order to (1) transmit back the transmit repeating result to the transmitting facsimile apparatus (fig. 3, S 29 & S30) and (2) register/store the telephone number of the transmitting facsimile apparatus in the repeater station (col. 6, lines 21-31 and col. 5, lines 41-46). Further, when a transfer of ring-type multiple-address transmission has been selected, it is also apparent that the repeater station does not add the transmitter information, the phone number of the transmitting facsimile apparatus, again since it was added already by the transmitting facsimile apparatus.

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Although Watanabe is silent as to whether or not the added phone number of the transmitting facsimile apparatus is transmitted to the final destination, it can be concluded that the repeater does not add the phone number again in the facsimile data because it is already added/included by the transmitting facsimile apparatus.

Accordingly, the rejection of claim 1 is maintained.

Independent claim 6 is a method claim corresponding to apparatus claim 1.

Thus, the rejection of claim 6 is also maintained.

In response to applicant's argument regarding the rejection of claim 4, examiner maintains the rejection at least the same reasons as presented above in connection with claim 1. That is, the repeater station transfers received data without adding the transmitter information (the phone number of the transmitting facsimile apparatus) to the final destination when the data is assigned to be subjected to ring-type multiple-address processing, and the transmitting facsimile apparatus transfers the received data (from read unit 8) with the transmitter information added when the data is not assigned to be subjected to ring-type multiple-address processing (figs. 3 and 5).

Accordingly, the rejection of claim 4 is maintained.

Independent claim 9 is a method claim corresponding to apparatus claims 1 and 4. Thus, the rejection of claim 9 is also maintained.

5. Therefore, the rejection of claims 1-5, as cited in the Office action dated 4/8/04, under 35 U.S.C. § 102(b), as being anticipated by Watanabe is maintained and repeated in this Office action.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Watanabe.

6. Regarding claim 1, Watanabe et al. discloses a communication apparatus (facsimile) adapted to perform ring-type multiple-address transmission (relay operation, as defined in the specification of the instant application), said apparatus comprising:

a registration unit (fig. 2, #9, column 2, lines 48-68, column 3, lines 1-4) arranged to register a sub-address signal and a communication specification so as to correspond to a memory box;

a start selector, (fig. 2, #7, column 3, lines 5-26) arranged to select a start of a ring-type multiple-address transmission;

a ring-type multiple address reception transfer selector, (fig. 2, #12 & #13, column 3, lines 27-45) arranged to select a transfer of a ring-type multiple-address reception; and

a controller, (fig. 2, #6, column 2, lines 48-68, column 3, lines 1-4) arranged to perform a control operation so that, when a start of a ring-type multiple address transmission has been selected, transmitter information is added, and when a transfer of ring-type multiple-address reception has been selected, the transmitter information is

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not added. Watanabe discloses in column 4, lines 45-55, that if the operation is a relay operation then the information of the relay station is not added to the transmitted information.

7. Regarding claim 2, Watanabe et al. discloses a communication apparatus (facsimile) adapted to perform ring-type multiple-address transmission, wherein said controller performs a control operation so that, when a start of ring-type multiple-address transmission has been selected, information indicating ring-type multiple-address transmission and information indicating a nickname of information to be transmitted are added as transmitter information. Watanabe discloses in column 3, lines 5-26, that the transmitter or originating unit information is added to the transmitted document. Therefore, it would be inherent that the information that is preprogrammed within the originating unit as to the unit's information, be added to a transmitted document, and that if a nickname is used to describe the unit then a nickname would be added to the transmitted information.

8. Regarding claim 3, Watanabe et al. discloses a communication apparatus (facsimile) adapted to perform ring-type multiple-address transmission, wherein said controller performs a control operation so that, when the sub-address signal and a transfer to a predetermined address, (column 3, lines 5-26) serving as communication specification, are registered in said registration unit so as to correspond to the memory box, if the registered sub-address signal is received, the transmitter information is added, and the received information is transferred to the predetermined address. The claim is interpreted to mean, that if a plurality of addresses is to receive a transmitted

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document then the transmitted information of the originating unit's information is added to the document. Watanabe discloses that the information of originating unit is added not the information of any relay units.

9. Regarding claim 5, Watanabe et al. discloses a communication apparatus (facsimile) adapted to perform ring-type multiple-address transmission, wherein said controller performs a control operation so that, when the sub-address signal and a transfer to a predetermined address, (column 3, lines 5-26) serving as communication specification, are registered in said registration unit so as to correspond to the memory box, if the registered sub-address signal is received, the transmitter information is added, and the received information is transferred to the predetermined address. The claim is interpreted to mean, that if a plurality of addresses are to receive a transmitted document then the transmitted information of the originating unit's information is added to the document. Watanabe discloses that the information of originating unit is added not the information of any relay units.

10. Regarding claim 4, Watanabe et al. discloses a communication apparatus (facsimile) adapted to perform ring-type multiple-address transmission, said apparatus comprising:

- a memory, (fig. 2, #10, column 3, lines 58-59) arranged to store received data;

- a transfer unit (fig. 2, #12 & #13, column 3, lines 27-68) arranged to transfer the received data stored in said memory;

an identification unit (fig. 2, #12 & #13, column 3, lines 27-68), arranged to identify whether or not the received data is data assigned to be subjected to ring-type multiple-address processing; and

a processor (fig. 2, #6, column 2, lines 48-68, column 3, lines 1-4), arranged to cause said transfer unit to transfer the received data without adding transmitter information if the received data is data assigned to be subjected to ring-type multiple-address processing, and to cause the transfer unit to transfer the received data with the transmitter information added thereto if the received data is not data assigned to be subjected to the ring-type multiple-address processing (column 4, lines 45-55, and column 5, lines 40-45).

11. With respect to claim 6, arguments analogous to those presented for claim 1, are applicable.

12. With respect to claim 7, arguments analogous to those presented for claim 2, are applicable.

13. With respect to claim 8, arguments analogous to those presented for claim 3, are applicable.

14. With respect to claim 9, arguments analogous to those presented for claim 4, are applicable.

15. With respect to claim 10, arguments analogous to those presented for claim 5, are applicable.

Conclusion

16. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHAN S PARK whose telephone number is (703) 305-2448. The examiner can normally be reached on M-F 8am-4:30pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on (703) 305-4712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chan S. Park
Examiner
Art Unit 2622

csp
March 18, 2005


EDWARD COLES
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600